

09/351,199

REMARKSREMARKS

This responsive amendment follows the relevant paragraphs of the office action to enable ease of understanding. A listing of the claims is provided as required in the new USPTO amendment practice per 37 CFR 1.121.

The office action further states, "*Specification 1.* The attempt to incorporate subject matter into this application by reference to the related application is improper because it incorrectly lists a provisional related application of 09/240,242 instead of a non-provisional application of 09/242,212. Correction is required.

In response applicants respectfully state that the specification is amended herein to make the correction.

Claim Rejections - 35 USC § 102

The office action further states, "2. Claims 1,8,10,15,18,22-23,29 and 31-34 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Rhoads, US Pub 2003/0128861 A1, hereinafter "861.

3. As per claims 1,8,10,15,18,22-23,29 and 31-34, '861 teaches the claimed invention having: a method/apparatus and computer program product for restoring a geometrically distorted copy of a reference image, automatically determining the type and amount of distortion, reversing the distortion, forming a reoriented image, horizontally and vertically aligning the image and extracting the watermark. See Abstract, figs. 1-2,4-8, col. 4, lines 6 et seq., col. 5, par. 83, pages 6-9 et seq., claims 1, 9 and 15-23.

In response applicants respectfully state that although applicants do not agree that Rhoads is prior art for the present invention as claimed, the claims are amended herewith to enable the quick allowance of the application. Thus the statement,

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1 "without extracting a registration signal," is added herewith to
2 claims 1, 15, 22, 23, 31 and 33. This clearly differentiates the
3 claimed invention from Rhoads in so much that indeed the present
4 invention doesn't use a registration signal which is required by
5 Rhoads. Thus these claims and all claims that depend on these
6 claims are allowable over Rhoads.

7 'Objected to' claims 14, 26, and 29 are amended to be independent
8 having all the limitations of the original claims each depended
9 upon. Thus claims 1,8,10,15,18,22-23,29 and 31-34 are allowable
10 as amended.

11 **Double Patenting**

12 The office action further states, "5. Claims 1, 8, 10,15, 18, 22-23, 29 and
13 31-34 are rejected under the judicially created doctrine of
14 obviousness-type double patenting as being unpatentable over
15 claims 1-5,9-11,16-18, and 21-24 of U.S. Patent No.
16 6,571,021B1.

17 Although the conflicting claims are not identical, they are not
18 patentably distinct from each other because due to the open-end
19 language used in the patent it provides protected patented
20 coverage to the other embodiments disclosed in the patent.

21 In response applicants respectfully state that a terminal
22 disclaimer is being submitted herewith. Thus claims 1, 8, 10,15,
23 18, 22-23, 29 and 31-34 overcome the rejection under the
24 judicially created doctrine of obviousness-type double patenting,
25 and are allowable.

26 This amendment overcomes all the rejections and objections of the
27 office action bringing claims 1, 4-15, 18-35 to allowance, and
28 favorable action is respectfully solicited. In the unlikely
29 event that any claim remains rejected, please contact the
30 undersigned by phone in order to discuss the application.

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2 account 09-0468.

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